

1895-054 Chancery Causes: Margaret Olinger vs. James P. Barron &c  
Lee Co.

Slump

CA-Debt  
T-Property

-Deed

To the Hon. H. S. K. Morrison  
Judge of the Circuit Court of  
Lee County Virginia:

Your Oratrix, Margaret Olinger  
who Humbly Complaining would  
respectfully represent that on  
the 30<sup>th</sup> day of Nov. 1889, James O.  
Barron and Wm. H. G. Slump executed  
to her their writing obligatory, for  
the sum of \$300.00 due and payable  
twelve months after the date thereof  
And waived the benefit of their  
Homestead exemptions as to said  
debt. This bond nor no part  
thereof has ever been paid to  
your Oratrix, but the same is  
wholly due her.

This bond was executed to her  
for her interest in the estate of  
your Oratrix and her husband Harry  
G. W. Olinger in the real & personal  
property of Isaac Collier your  
Oratrix's father. This bond here  
owed on is the last payment for  
said land situated in said County  
and properly described in a copy  
of a deed made to said obligors  
on Dec. 20<sup>th</sup>, 1889, a copy of  
which is herewith filed marked "D"



And said bond is also filed herewith, as part hereof marked "E". By an inspection of said deed it will be seen that the obligors therein, your Oratrix and her said Husband retained a lien upon the lands thus sold for the unpaid purchase money therein due, which is the bond here seen on.

Your Oratrix is informed, that the defendant, have full use & control of said land, and has the same now under their control.

Your Oratrix is advised that by the terms of said deed she has a lien upon said tract of land for the balance due on said bond and that said land is liable therefor.

To enforce this lien, and sell said land or so much thereof as may be necessary to pay the same is the object of this bill.

The premises considered therefore she prays that James P. Barrer, and Wm. H. G. Kemp be made parties defendant, to this bill and that they be required to answer the same, but they need



not do so upon said that being  
expressly waived. That on a  
hearing a decree be rendered enforcing  
said lien, and selling so much of  
said land as may be necessary  
to pay the same - And for all  
other further & general relief - May  
your honor issue &c.

A. L. Pickens.

P. 4.



12<sup>55</sup> - my cost including estimate cost this  
+ also 1.50 Sheriff's costs  
15<sup>th</sup> Aug. 1892 - J. A. Hyatt C

Margaret Dwyer

43 Bill Chy

Geo. P. Barron et al

1. 1000 acres cleared

Dearest

How Term Could

17  
2 Mar 2

June " "

11  
11  
Year

2681 " " " "

June " " "

poor "road" & this year

1894 Commodore  
1894-1895 Terms Comd'd

1873  
June  
Tarin Secre-

Final Chery ord 1834

page 211

Belcher	\$7.50	PA
Estimate Same	5.00	PA
3	1.50	PA
4	15.00	PA

Murray Clerk 256

1916

Phlo Costa

759

2.56

1.52

Atty / 2.00

~~22~~ 615

11



\$300<sup>00</sup> Nov the 30<sup>th</sup> 1889

twelve months  
after date we or  
either of us bind  
our self to pay Margaret  
Clinger the several  
dollars for <sup>entry money of</sup> her entire  
interest in Lane's estate  
in land &  
Residual hereby waive  
the benefit of our home  
stead as to this debt remain  
our daughter Margaret J. Barron  
Nov the 30 1889 M. N. Colburn

# 3000

For P. Barron &  
Wm. A. Slump  

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to note



This deed made this the 20<sup>th</sup> day of December  
1889 between Harvey G. H. Olinger and Margaret  
Olinger his wife of the County of Lee & State  
of Va of the first part and William H. G. Shump  
& James P. Barron of the County & State aforesaid  
of the other part, - Witnesseth, that for & in consid-  
eration of the sum of \$425<sup>00</sup> in hand paid &  
secured to be paid the receipt whereof is hereby  
acknowledged, the said parties of the first part  
do grant, bargain & sell unto the party of the second  
part all their right, title & interest in & to the  
Estate of Isaac Collier dec'd, both real & personal,  
said estate consists of two tracts of land, one  
tract, lying & being in the said County of Lee & on  
the North side of Wallens ridge adjoining the  
lands of James H. Collier, James L. P. Barron &  
others & the other tract lying & being, in the  
same County & State & on the north side of Powell  
Mountain adjoining the lands of H. S. Hanes  
heirs & others. This sale includes all their interest  
in all the lands owned by the said Isaac Collier  
dec'd in said County, in including their interest  
in the dower land of the widow of said Collier, after  
the death of said widow. The personal property  
consists of live stock or any money  
or notes or bonds owned by the said Collier  
at the time of his death, & their whole



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interest in all of the property owned  
by said Collier at the time of his death  
both real & personal. Said estate has  
descended to the said Margaret Oliger  
from her father, the said Isaac Collier,  
now dead. And the said Harvey G. W. Oliger,  
& Margaret Oliger his wife covenant with  
the said W. W. Glenn & J. P. Barron that  
they will warrant generally the land  
& personal property hereby conveyed.  
Witness the following signatures  
& seals.

The vendors here <sup>is retained</sup> in said land  
for the balance of the purchase money.

Book 25

P. 20

Harvey G. W. Oliger

Margaret Oliger

Copy by D. C. Se

properly acknowledged &  
recorded.



Margaret Olinger  
against } In chg-  
Jas P. Barron et al }

This cause came on  
again this day to be heard  
upon the papers formerly read  
& the report of D. C. Simwell  
Spc. Commr. ~~There~~ was argued  
by counsel. On consideration  
of which & the said report  
being ~~un~~excepted to, ~~the~~ ~~same~~  
adjudged, ordered & decreed that  
the same be & is hereby confirmed  
And it appearing from said  
report that the debt herein  
decreed against the defendant  
is fully paid & by said  
Commr. Simwell paid over  
to the plaintiff, the same is  
approved & confirmed & this  
cause is stricken from  
the docket.



Margaret Clinger  
vs/ Decree final

Jas P. Barron et al  
June 7. 1895.

Enter  
N M  
Entered in  
Chancery Order  
Book Page 217

Enter this  
June 12<sup>th</sup> 1895-



Margaret Clinger  
vs  
James P. Barron et al } ~~he~~ ~~they~~

This cause came on this day to be heard upon the bill of the plaintiff taken for confessed and exhibits filed & was argued by counsel. On consideration of which & for reason appearing to the court it is adjudged, ordered & decreed that the plaintiff recover from the said defendants the sum of three hundred dollars with legal interest thereon from the 30<sup>th</sup> day of November 1890 till paid and the costs of this suit & it is ordered & considered that said sum is a lien on the land in the bill mentioned, and unless the said defendants or some one for them, pay the same within 20 days from the issuing of this court then D.P. Sewell who is hereby appointed a special commissioner for the purpose will sell said land or so much thereof as may be necessary to pay the said sum herein decreed.

He will sell the same on some court day in front of the Court House door of this county by public outcry to the highest bidder for so much



Cash in hand as may be necessary to pay costs of suit & sale & for the residue of said sum he will sell said land on credit of 6 & 12 months, taking bonds payable to himself as comr. bearing interest from day of sale.

But before proceeding to make sale hereunder said comr. will execute bond before the clerk of this court conditioned to duly perform his duties hereunder in a penalty of \$600<sup>00</sup> — with approved personal security. He will advertise the time, terms & place of sale <sup>for 30 days</sup> by posting notices, one at the front door of the Court house of this county, & at one or more public places in said county one of which shall be in the neighborhood of where the land lies. He will report his action to this Court at its next.



Margaret Olmeyer  
VB } bearer of code  
Jas P. Barron et al  
Entered Chex O.B.  
page 358. Sept 4/89

Enter this  
H.S.K.M.  
Sept 4/89



Margaret Olinger  
vs } In chg -  
James P. Barron et al }

To the Hon. W. T. Miller, Judge  
of the circuit court of Lee County  
Virginia,

Your undersigned Commr.  
would respectfully report, That  
the debt decreed against the  
~~plaintiffs~~ <sup>defendants</sup> herein has been  
fully paid & satisfied & by  
your Commr. paid over  
to the party to whom it  
was going. And all  
matters having now  
been settled in this cause  
the same should be stricken  
from the docket.

Respt.

D. F. Sewell.  
Commr.



Margaret Olinjer  
vs Report -  
James P. Barlow



KNOW ALL MEN BY THESE PRESENTS, That we

are, held and firmly bound unto the Commonwealth of Virginia, in the sum of

*Six Hundred* dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of United States. Sealed with our seals, and dated, *5th* day of *October*, one thousand eight hundred and *nineteen*

The Condition of The Above Obligation is Such, That if the above bound *D. C. Smell* shall faithfully perform the duties of *his* office or trust, as *Clerk*,

under a decree of the Circuit Court of the County of Lee, pronounced on the *4th* day of *Sept*, 18*91*, in the suit therein depending under the name and style of *Margarett Olney* Plaintiff vs. *Geo P. Barronette* Defendant

and properly account for all sums of money *he* may receive as such *Commissioner*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

*D. C. Smell* (SEAL.)

*J. A. G. Hyatt* (SEAL.)

(SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee.

This day

suret on the above bond, made oath before me J. A. G. Hyatt, Clerk of the Circuit Court of the County of Lee, that estate after the payment of all just debts, and those for which bound as securit for others, and expect to have to pay worth the sum of

dollars.

Given under my hand this day of

18

Teste: Clerk.



Margarette Clinger  
vs <sup>Wm</sup> Bond  
Jas P. Barrow et al  
Filed Oct. 5<sup>th</sup> 1891.  
J. A. Hyatt



# The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

*Jas. P. Barrow*

*and Wm. A. G. Slump*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday  
in *August* next, being rule day to answer a bill in Chancery exhibited in our said Court  
against *them* by

*Margret Oliver*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *16<sup>th</sup>* day of *July* 18*91*, in the 11<sup>th</sup> year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste



(P)  
Margret Olinger

vs Spain Chey

Jas. P. Barron et al

To R. Aug. Rules 1891.

Executed July  
21 1891 by deliv-  
ering an official  
copy to W. N. S.  
Slern and Jas.  
D. Barron

L. M. Wade <sup>deputy</sup> for

G. E. Flanary

S. L. G.